

FILED

Date: 08/24/2024

To: Judge David Novak

From: Mohammed Azharuddin Chhipa

2024 SEP 19 P 2:34

Current Attorneys: Jessica Nicole Carmichael & Zachary Deubler

Case Number: 1:23-cr-97

Re: Motion to Dismiss Counts 2-5 of the Indictment Due to Multiplicity and Double Jeopardy

Dear David Novak,

I am writing to respectfully move this Court to dismiss Counts 2-5 of the indictment in the above-referenced case on the grounds that these counts are multiplicitous and violate the Double Jeopardy Clause of the United States Constitution.

Counts 2-5 of the indictment, though framed as separate offenses, describe a single conspiracy. It is well-established in case law that the same conspiracy cannot be the subject of multiple charges under the Double Jeopardy Clause, as this would expose me to being punished multiple times for the same conduct. As such, I request that these counts be dismissed to preserve the protections guaranteed to me under the Fifth Amendment.

In addition, I would like to place on the record that I do not wish for any of my motions, including this one, to be sealed. It is my express desire that all motions and filings in my case be available for public access. There has already been an undue amount of sealing, censorship, and redaction in this matter, and I object to any further sealing of my case documents.

I also respectfully request that a copy of this motion letter, along with an acknowledgment of receipt, be mailed to me at the facility where I am currently detained.

Should I be transferred to a different facility, I request that the letter be forwarded to my new location.

Sincerely,

Mohammed Chhipa